

Docket: UDC-20201 CON

REMARKS

Status of the Claims

Claims 44-58 are pending herein. Withdrawn claims 1-32 and 33-43 have been cancelled without prejudice or disclaimer.

Rejection under 35 USC § 102(e)

Claims 44-55 are rejected under 35 USC § 102(e) as anticipated by U.S. Patent No. 6,576,351 B2 to Silvermail (Silvermail). Applicant respectfully traverses this rejection and its supporting remarks.

Claim 44, the only independent claim presently pending, reads as follows (emphasis added):

44. An organic optoelectronic device structure comprising:

a substrate;

an organic optoelectronic device disposed over said substrate, said organic optoelectronic device selected from an organic light emitting diode, an organic electrochromic display, an organic photovoltaic device and an organic thin film transistor; and

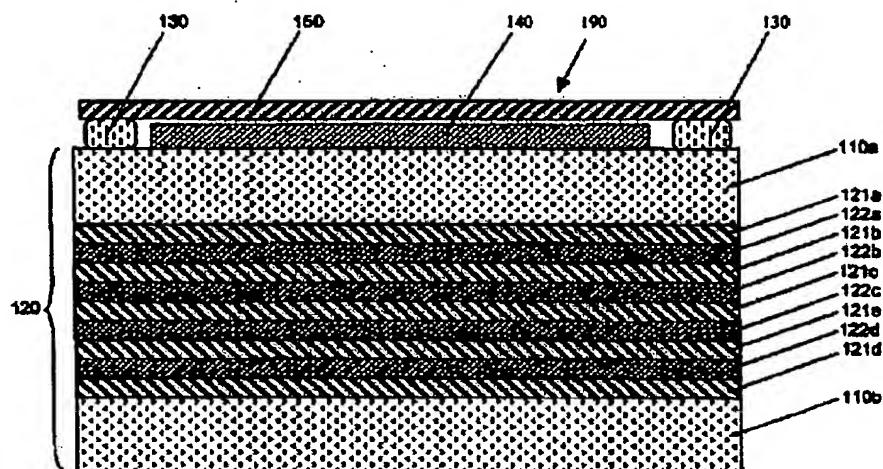
a barrier region disposed over said organic optoelectronic device, said barrier region comprising a plurality of cooperative barrier layers, said plurality of cooperative barrier layers further comprising a planarizing layer and a high-density layer, wherein said high-density layer is disposed over said planarizing layer in a manner such that said high-density layer extends to said substrate layer and, in conjunction with said substrate layer, completely surrounds said planarizing layer.

For a reference to anticipate a claim, it must disclose each and every element of the claim. See MPEP 2131 and cases cited therein, including *Richardson v. Susuki Motor Co.* In response to applicant's arguments of 2/15/05, the examiner argues as follows:

Applicant's argument does not address the additional layer 150 which is a barrier layer and may be construed as one of the multiple cooperative barrier layers and which is also formed over the OLED. Based upon layer 150 in combination with layer 120, Silvermail anticipates Applicant's claim language (See also Col.7, lines: 1-10).

For clarity, Fig. 6 of Silvermail, to which the examiner is referring, is reproduced here:

Docket: UDC-20201 CON



Note from the above that claim 44 describes a barrier region that comprises a planarizing layer and a high-density layer. Moreover, the high-density layer is *disposed over* the planarizing layer in a manner such that the high-density layer *extends to* the substrate layer and, in conjunction with the substrate layer, *completely surrounds* the planarizing layer.

This feature is clearly absent from Silvermail. For example, contrary to the examiner's assertion, Silvermail does not disclose a high density layer (a) which is *disposed over* a planarizing layer *and* (b) which *extends to* (i.e., *contacts*, as opposed, for example, to "extends almost to" or "extends proximate to") the substrate *and* (c) which in conjunction with the substrate layer, *completely surrounds* the planarizing layer.

For example, nowhere is it taught in Silvermail that upper barrier layer 150 either (a) extends to a substrate layer or (b) completely surrounds an underlying planarizing layer in conjunction with that substrate layer (*both* of which are required to meet the limitations of present claim 44). As can be seen in the device cited by the Examiner (Silvermail, Fig. 6), the ends of high density layers 121 a-e and planarizing layers 122 a-d are all illustrated as exposed to the external environment. One of the drawbacks of such an arrangement (pointed out by applicants in paragraph [0039] of the specification as filed), is that the planarizing layers are not completely surrounded and each therefore presents a path of relatively low resistance to harmful environmental species such as oxygen and moisture via its exposed ends. In contrast, the present invention as claimed requires that a high density layer extends to the substrate layer in such a manner that an underlying planarizing layer is completely surrounded.

Docket: UDC-20201 CON

Reconsideration and withdrawal of the outstanding rejection under 35 USC 102(e) are requested.

To the extent that the examiner does not find the above persuasive, she is respectfully requested to contact the undersigned at (703) 433-0510.

CONCLUSION

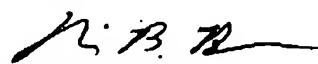
Applicant submits that all pending claims are in condition for allowance, early notification of which is earnestly solicited.

FEES

If there are any fees due and owing in respect to this amendment, the Examiner is authorized to charge such fees to deposit account number 50-1047.

Respectfully submitted,

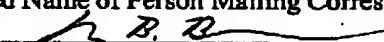
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I hereby certify that this document and any document referenced herein is being sent to the United States Patent and Trademark office via Facsimile to: 703-872-9306 on June 24, 2005.

David B. Bonham
(Printed Name of Person Mailing Correspondence)



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